

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO: 05-10370PBS

BARBARA CORDI-ALLEN AND
JOHN ALLEN,
Plaintiffs,

VS.

JOSEPH R. CONLON, ARTHUR F. HUTLIN,
NORMAN H. POPE, KEITH S. ALTHAUS,
And MARINNA MATRICARDI as they are
Members and collectively the TRURO
ZONING BOARD OF APPEALS AND THE
TOWN OF TRURO, MASSACHUSETTS,
AND BROOKE NEWMAN,
Defendants

JOINT STATEMENT REGARDING PROPOSED PRETRIAL SCHEDULE

Pursuant to Local Rule 16.1, the parties in the above action submit this Joint Statement in advance of the scheduling conference set for April 27, 2005.

I. Statement Pursuant to Local Rule 16.1(B)

Pursuant to the Notice of Scheduling Conference, Fed. R. Civ. P. 26(f), and Massachusetts District Court Local Rule 16.1, the parties have conferred with Paul Revere, III, Esq., representing the Plaintiffs, Deborah I. Ecker of Brody, Hardoon, Perkins & Kesten, LLP representing Defendants Truro Zoning Board of Appeals and Town of Truro (hereinafter "Truro"), and Julie Pruitt Barry of Nutter, McClennen and Fish representing Defendant Brooke Newman.

II. Statement Pursuant to Local Rule 16.1(C)

The Plaintiffs have made a demand on the Defendants. The Defendants' attorneys have conferred with their clients on the subject of the settlement.

III. Pre-Discovery Disclosures

Truro has provided the information required by Fed. R. Civ. P. 26(a)(1) and Massachusetts District Court Local Rule 26.2. The Plaintiffs and Defendant Brooke Newman will provide such information by June 1, 2005.

IV. Discovery Plan

The parties jointly propose to the court the following discovery plan:

- A. All discovery commenced in time to be completed by January 1, 2006.
- B. The number of depositions, interrogatories, requests for admissions, and requests for document production shall be governed by Massachusetts District Court Local Rule 26.1(c).
- C. Reports from retained experts are due by:
 - 1. November 1, 2005, from the Plaintiffs in support of the Complaint.
 - 2. December 1, 2005, from the Defendants in defense of the Complaint.
- D. Supplementations under Rule 26(e) are due within thirty (30) days of the party learning that supplementation is required.

V. Motion Practice

All dispositive motions should be filed by March 1, 2006.

VI. Additional Issues

- A. Trial By Magistrate Judge - The parties have discussed by magistrate, but believe that the issues raised by this case are inappropriate for such a trial.

Respectfully submitted,
For the Plaintiffs,
Barbara Cordi-Allen and John Allen,
By their attorney,

Respectfully submitted,
For the Defendant,
Brooke Newman,
By her attorneys,

/s/ Paul Revere, III
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/s/ Julie Pruitt Barry
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Respectfully submitted,
For the Defendants,
Joseph R. Conlon, Arthur F. Hutlin,
Norman H. Pope, Keith S. Althaus, and
Marinna Matricardi, as they are Members
and collectively the Truro Zoning Board of
Appeals and the Town of Truro, Massachusetts,
By their attorneys,

/s/ Deborah I. Ecker
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Dated: April 21, 2005